

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

John Ressler, Paulette Ressler,)
)
Plaintiffs,)
)
vs.)
)
Christopher D. Jones, in his official)
capacity as Executive Director of the North)
Dakota Department of Health & Human)
Services,)
)
Defendant.)

ORDER

Case No. 1:23-cv-022

Before the court is a “Second Stipulation for Extension of Deadline for First Responsive Pleading” filed by the Parties on April 10, 2023. (Doc. No. 4). The Parties had previously agreed to, among other things, a sixty-day extension of Defendant’s deadline to file a responsive pleading. The parties advise that they have now agreed: (1) to further extend Defendant’s deadline to file a responsive pleading until May 1, 2023; and (2) should an amicable resolution not be reached and Plaintiffs obtain a judgment in their favor, such judgment will have a retroactive effect of five months instead of the three months as contemplated by 42 U.S.C. § 1396a(a)(34).

The court **ADOPTS** the Parties’ stipulation (Doc. No. 4) and **ORDERS** that Defendant shall have until May 1, 2023, to file a responsive pleading in this matter.

Dated this 11th day of April, 2023.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court